

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GREENE *et al.*

Appl. No. 08/469,637

Filed: June 6, 1995

For: **Human Tumor Necrosis Factor
Receptor**



Art Unit: 1646

Examiner: M. Pak

Atty. Docket: 1488.0710001/EKS/KRM

**Third Supplemental Information Disclosure Statement
and Statement Under 37 C.F.R. § 1.97(e)(1)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is submitted herewith. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on September 3, 1998 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is

further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

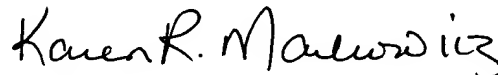
This Third Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith.

I hereby state that each item of information contained in this Third Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Third Supplemental Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

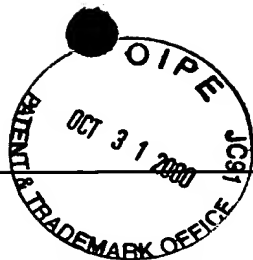
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

Date: 10/31/00

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600



FORM PTO-1449

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1488.0710001APPLICATION NO.
08/469,637APPLICANT
Greene *et al.*FILING DATE
June 6, 1995GROUP
1646

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
MDP	AM1	EP 0 816 380	01/07/1998	Europe			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
MDP	AT	19	Kohno, T. <i>et al.</i> , "A second tumor necrosis factor receptor gene product can shed a naturally occurring tumor necrosis factor inhibitor," <i>Proc. Natl. Acad. Sci. USA</i> 87:8331-8335 (1990)

EXAMINER
MICHAEL PARKDATE CONSIDERED
4/6/04

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

15



FORM PTO-1449

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1488.0710001APPLICATION NO.
08/469,637APPLICANT
Greene *et al.*FILING DATE
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	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

MDP	AR	20	Schall, T.J. <i>et al.</i> , "Molecular Cloning and Expression of a Receptor for Human Tumor Necrosis Factor," <i>Cell</i> 61:361-370 (1990)
	AS		
	AT		

EXAMINER MICHAEL PARK

DATE CONSIDERED 4/6/04

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Greene *et al.*

Appl. No. 08/469,637

Filed: June 6, 1995

For: **Human Tumor Necrosis Factor
Receptor**



Art Unit: 1646

Examiner: M. Pak

Atty. Docket: 1488.0710001/EKS/KRM

Petition Under 37 C.F.R. § 1.97(d)

Commissioner for Patents
Washington, D.C. 20231

Attn: Group Director

Sir:

Applicants in the above-identified patent application hereby petition for consideration of the Third Supplemental Information Disclosure Statement submitted herewith, the documents cited on the accompanying PTO-1449, and the accompanying Statement under 37 C.F.R. § 1.97(e). The petition fee (37 C.F.R. § 1.17(i)) is provided in our accompanying Check No. 29298.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this petition is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Karen R. Markowicz

Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

Date: 10/31/00

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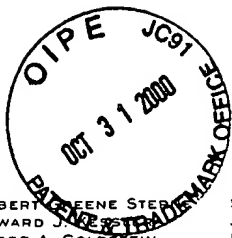
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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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ANDREA J. KAMAGE**
NANCY J. LEITH**
TARJA H. NAUKKARINEN**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

68 1646
RECEIVED
NOV 06 2000
11/10/00
TECH CENTER 1600/2800

October 31, 2000

WRITER'S DIRECT NUMBER:

(202) 371-2637

INTERNET ADDRESS:

KAREN@SKGF.COM

Art Unit 1646

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 08/469,637; Filed: June 6, 1995
For: **Human Tumor Necrosis Factor Receptor**
Inventors: Greene *et al.*
Our Ref: 1488.0710001/EKS/KRM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal (Form PTO/SB/17) (*in duplicate*);
2. Third Supplemental Information Disclosure Statement and Statement Under 37 C.F.R. §1.97(e)(1) (*in duplicate*);
3. Form PTO-1449 (2 sheets);
4. Three (3) References (AM1, AT19 and AR20);
5. Petition Under 37 C.F.R. §1.97(d);
6. Check No. 29298 for \$130.00 for Petition Under 37 C.F.R. §1.97(d); and
7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
October 31, 2000
Page 2

RECEIVED

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TECH CENTER 1600/2000

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



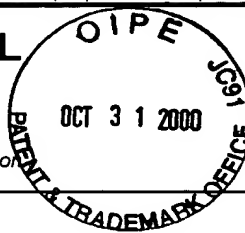
Karen R. Markowicz
Agent for Applicants
Registration No. 36,351

KRM:ayh
Enclosures

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SKGF Rev. 4/27/00 mac

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision



Complete if Known

Application Number	08/469,637
Filing Date	June 6, 1995
First Named Inventor	Greene et al.
Examiner Name	M. Pak
Group Art Unit	1646
Attorney Docket No.	1488.0710001

TOTAL AMOUNT OF PAYMENT	(\$130.00)
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METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number	19-0036
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

I. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims _____ - 20** = _____ X _____ = _____		
Indep. Claims _____ - 3** = _____ X _____ = _____		
Multiple Dependent _____ = _____		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Karen R. Markowicz	Registration No. (Attorney/Agent)	36,351	Telephone	202-371-2600
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Signature	Karen R. Markowicz	Date	10/31/00
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.